003259.81131 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: Schwertfeger, Fritz

U.S.S.N.: 09/308,770

Dear Sir:

Filed: 28 October 1999

Title: METHOD FOR PRODUCTION OF THE TOTALLY MODIFIED,

PERMANENTLY HYDROPHOBIC AEROGELS

CERTIFICATE OF EXPRESS MAIL

Assistant Commissioner for Patents, Box Patent Appeal Brief Washington, D.C. 20231

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TC 1700

Group Art Unit: 1762

Examiner: K. Crockford

I hereby state that the following:

Appeal Brief (triplicate)
Appeal Brief and Petition for Extension (3 months) Transmittal (duplicate)
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is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box Patent Appeal Brief, Washington, D.C. 20231.

Rachelle Chery

Signature of person mailing paper or fee

65-10-02

PATENT 1

Practitioner's Docket No. 003259.81131

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 0 9 2002

In re application of: Schwertfeger, Fritz

Application No.: 09/308,770

Group No.: 4262MA

Filed: 10/28/1998

Examiner: Crockford, K.

For: Method for Producing Organically Modified, Permanently Hydrophobic Aerogels

Assistant Commissioner for Patents, Box Patent Appeal Brief Washington, D.C. 20231

TRANSMITTAL OF APPEAL BRIEF (PATENT APPLICATION--37 C.F.R. 1.192)

1. Transmitted herewith, in triplicate, is the APPEAL BRIEF in this application, with respect to the Notice of Appeal filed on December 14, 2001.

2. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

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TC 1700

CERTIFICATE OF EXPRESS MAILING/TRANSMISSION (37 C.F.R. 1.10)

Signature

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Date: May 9, 2002

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transmitted by facsimile to the Patent and Trademark Office.

(type or print name of person certifying)

(Transmittal of Appeal Brief--page 1 of 3)

3. FEE FOR FILING APPEAL BRIEF

Pursuant to 37 C.F.R. 1.17(c), the fee for filing the Appeal Brief is:

Other than a small entity

\$320.00

Appeal Brief fee due

\$ 320.00

4. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R.section 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. section 1.17(a)(1)-(5)) for three months:

Fee

\$ 920.00

If an additional extension of time is required, please consider this a petition therefor.

5. TOTAL FEE DUE

The total fee due is:

Appeal brief fee

\$ 320.00

Extension fee (if any)

\$ 920.00

TOTAL FEE DUE

\$ 1240.00

6. FEE PAYMENT

Charge Account No. 19-0733 the sum of \$ 1240.00.

A duplicate of this transmittal is attached.

7. FEE DEFICIENCY

If any additional extension and/or fee is required, this is a request therefor and to charge Account No. 19-0733.

Date:

9 May 2001

Peter D. McDermott Registration No. 29,411 Banner & Witcoff, Ltd. 28 State Street 28th Floor Boston, MA 02109 USA

1-617-227-7111